(b) what action has been taken so far to implement the above recommendations and the future in this regard?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI I.D. SWAMI): (a) Yes, Sir.

(b) A resolution has been passed and sent to concerned Ministries/ Departments for compliance.

Tapping of Telephones

5543. SHRI SANTOSH BAGRODIA: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether Government are aware that many authorities tap the telephones of different citizens without any proper permission;

(b) if so, the details thereof;

(c) whether it is a fact that telephones of certain individuals like Mr. Rajiv Chawla and Rajesh Kalra have recently been tapped unauthorisedly; and

(d) what action Government will take to protect the privacy of ordinary citizens under Article 21 of the Indian Constitution?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI CH. VIDYASAGAR RAO): (a) and (b) No such specific information has come to notice.

(c) It would not be in the public interest to disclose this information.

(d) Rules have been framed under the Indian Telegraph Act, 1885 on 16.02.1999 to build in adequate safeguards for the exercise of power for interception of messages.

Interrogation of Suspects at their Residence

5544. SHRI SANTOSH BAGRODIA: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether Government have made any investigation into reasons for increasing death in police custody; and

(b) if so, whether Government would plan to interrogate the suspects at their residences to avoid over-crowding of jails and also to give more humane image?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI I.D. SWAMI): (a) and (b) According to information received from the National Human Rights Commission, the number of deaths in police custody during the last three years, *i.e.*, 1997-98, 1998-99 and 1999-2000, was 193, 183 and 186 respectively.

"Police" is a State subject as per the Constitution of India. Therefore, the investigation of cases, including interrogation of suspects involved therein, is primarily done by the State Police agencies. However, the Union Government has been issuing guidelines to the State Governments, from time to time, to ensure that their police personnel behave in a humane manner and that cases of alleged custodial deaths and police excesses are enquired into and dealt with firmly. Special emphasis is being laid on human rights in the training curricula of police personnel at all levels. "Induction" and "in-service" training programmes also include special inputs to sensitise police personnel about the use of scientific methods for investigation.

Legal help treaty with USA

†5545. SHRI SWARAJ KAUSHAL: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether India and USA have agreed to initiate mutual legal help treaty;

(b) if so, the details thereof; and

(c) by when the treaty is expected to be signed?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI CH. VIDYASAGAR RAO): (a) India proposes to conclude a Treaty on Mutual Legal Assistance in criminal matters with U.S.A.

(b) The Treaty seeks to improve the effectiveness of both countries in the matters of investigation, prosecution and suppression of crime and the tracing, restraint, seizure and confiscation of the proceeds of crime including funds for purposes of terrorism through cooperation and mutual assistance in criminal matters.

(c) Negotiations between the two countries are underway. No timeframe can be indicated regarding the signing of the agreement.

†Original notice of the question was received in Hindi.